



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/365,731	08/03/1999	GLEN J. ANDERSON	P65745US0	2165

30408 7590 02/26/2003

GATEWAY, INC.
ATTENTION: IP LAW GROUP (MAIL STOP SD-21)
14303 GATEWAY PLACE
POWAY, CA 92064

EXAMINER

NGUYEN, THOMAS T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 02/26/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/365,731

Applicant(s)

Anderson et al.

Examiner

THOMAS T. NGUYEN

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 2, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2174

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3-4,8-12,14-15,19-22 are rejected under 35 U.S.C. 102(b) as anticipated by Dazey et al. U.S Patent No.5,715,415.

As per claim 1: Dazey's system (abstract, summary and Fig.5) discloses the following:

a first display means having a predetermined first display area dedicated to displaying a main window of an application program (50);

second display means having a predetermined second display area dedicated to displaying auxiliary information (70) related to the application program; and

means, responsive to the application program, for separately routing the main window exclusively to the first display area, and the auxiliary information exclusively to the second display area so that display of the auxiliary information does not overlap display of the main window (summary, col.4 lines 46-67). "When the user requires help,

Art Unit: 2174

the user activates a button on the user interface to show the help content. The graphical window containing the application is partitioned to define a help pane which shows the help content. The help pane is integrated into and appears positioned adjacent to a workspace to assist the user with context specific, step-by-step, instructions” (summary, and col.2 lines 16-22, Figs.4-5).

Regarding claim 3, in addition to what is recited in claim 1, Dazey’s system discloses that the auxiliary information including help information from a help information database of the application program “*The publishing application is configured to provide help content in the way of step-by-step instructions for creating the brochure. The help content may also include an electronic version of the operation manual that might accompany the software product*” (col.4 lines 49-53, Figs.1-2).

Regarding claim 4, in addition to what is recited in claim 1, Dazey’s Fig.5 explicitly shows the first and second display means constitute different portions of a screen on a single display device.

Regarding claim 8, in addition to what is recited in claim 1, Dazey’s system further comprises intercepting means for intercepting a user request; and the routing means routes the auxiliary information to the second display means in response to the intercepting means interception of the user request (Figs.3,5).

Art Unit: 2174

Regarding claim 9, in addition to what is recited in claim 8, *Dazey* teaches the user request is an invocation of a help function in the application program; and the routing means constitutes means for routing help information from a help database in the application program to the second display means (summary, Figs.2,5).

Regarding claims 10-11, in addition to what is recited in claim 1, *Dazey* teaches a means for continually monitoring an active window in the application program; and the routing means constitutes means for automatically routing to the second display means, auxiliary information/ help information that corresponds to a window that the monitoring means determines to be the active window (col.2 lines 16-24).

Claims 12,14-15,19-22 are similar in scope to claims rejected from above and they are believed to be rejected under similar rationale.

Art Unit: 2174

Claim Rejections - 35 USC § 103

Claims 2,5-7,13,16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dazey et al. U.S Patent No.5,715,415 in view of Endres et al. U.S Patent No. 6,104,359

Regarding claims 2 and 13, in addition to what is recited in claim 1, Dazey teaches the routing means of the different portions of a screen on a single display device in an operating system of the computer. On the other hand, Dazey fails to disclose a routing means of a multimonitor support feature in an operating system of the computer system. However, it is known in the art that a routing means is associated with a multimonitor in an operating system. For instance, *Endres et al.*, hereinafter *Endres*, explicitly teaches the routing means includes a multimonitor support feature in an operating system of the computer system (summary, Figs.2).

Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Endres's teaching of multimonitor support with Dazey's system to maximize the workspaces ("50,70" Fig.5) because a larger workspace would enhance the user performance when viewing and operating the application program / auxiliary information in a GUI environment.*

Art Unit: 2174

Regarding claims 5 and 16, in addition to what is recited in claim 1, Dazey teaches the multi display means of different portions of a screen on a single display device in an operating system of the computer but fails to teach the first and second display means constitute physically separate display devices. However, it is known in the art that the multi physical monitors can be supported in the window operating system. For instance, *Endres* explicitly teaches the first and second display means constitute respective first and second physically separate display devices (abstract, summary, Fig.2). Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Endres's teaching of first and second physical monitors in a computer system with Dazey's system to enhance the user performance when viewing, operating the application program / auxiliary information in a GUI environment because a multiple windows application programs can take advantage of additional screens providing an expanded GUI desktop area.*

Regarding dependent claims 6-7, 17-18, in addition to what is recited in claims 5,16 respectively, *Endres's system* inherently discloses the second display device can be physically smaller than the first display device (col.15 line 62-67); and have a lower resolution than the first display device (col.4 line 38-65, summary).

Art Unit: 2174

Response to Applicant Remarks

Applicant's amendment has been considered but not deemed to be persuasive to put the case in condition for allowance.

Regarding Applicant's arguments with respect to claims 1,3-4,8-12,14-15,19-22 , the arguments have been considered but are moot in view of the new ground(s) of rejection.

Regarding the dependent claims 2, 5-7, 13, and 16-18, Applicant's argument that *"Endres is cited merely for its showing of the use of a multi-monitor support feature, but does not have any of the teachings with regard to ensuring the complete separation and non-overlap of the main window of an application program by the auxiliary information."* (page 5). This argument is not persuasive because the Examiner relies on *Endres* for the *use of a multi-monitor support feature that is physically separate display devices* which the Applicant merely claimed in the dependent claims, and the Examiner relies on *Dazey* reference for the *non-overlap of the main window of an application program by the auxiliary information* as recited (rejected) in the independent claims.

Art Unit: 2174

Conclusion

Applicant's amendment necessitated the new ground of rejection presented in this office action. Accordingly, *THIS ACTION IS MADE FINAL*. See MPEP 706.07(a).

Application is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications should be directed to the Patent Examiner **Thomas Nguyen**, whose telephone number is (703) 308-7240 (Tuesday to Friday 09:00 - 7:30 ET) or *Kristine Kincaid* Supervisory Patent Examiner (703) 308-0640. Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900 and Official-Fax number (703) 746-7239 for After Final (703) 746-7238. Please label properly on the cover page of facsimile communications.

Thomas T. Nguyen

(Feb. 24, 2003)

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100